

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Chapter 7 Estate of
Bernard L. Madoff,

Plaintiff,

v.

FREDERIC Z. KONIGSBERG, SUSAN M.
KONIGSBERG, BRADERMAK, LTD.,
BRADERMAK EQUITIES CORP., LEE
RAUTENBERG, JAN STAHL, GERI STAHL, H.
PETER STEIL, APO HEALTH, INC. PSP F/B/O JAN
STAHL, BUYER'S ALTERNATIVES, INC. PSP
F/B/O JAN STAHL, AND PJS TRADING, INC. PSP
F/B/O JAN STAHL,

Defendants.

Adv. Pro. No. 10-04394 (CGM)

**STIPULATION AND ORDER FOR VOLUNTARY
DISMISSAL OF ADVERSARY PROCEEDING WITHOUT PREJUDICE**

Irving H. Picard (the "Trustee"), as trustee for the liquidation of the business of Bernard
L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C.

§§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, Frederic Z. Konigsberg and Bradermak Ltd. (the “Konigsberg Defendants”), and Lee Rautenberg and Bradermak Equities Corp. (the “Rautenberg Defendants” and together with the Konigsberg Defendants, the “Defendants”) by and through their counsel, David Bernfeld, Esq. (collectively, the “Parties”), hereby stipulate and agree as follows:

1. On November 30, 2010, the Trustee filed and served the Complaint against the Defendants.

2. On July 27, 2022, the Trustee entered into settlement agreements with the Konigsberg Defendants and the Rautenberg Defendants (collectively the “Settlement Agreements”) pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].

3. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal without prejudice of the Trustee’s claims against the Defendants in the above-captioned adversary proceeding, subject to the right of the Trustee to move *ex parte* to re-open this adversary proceeding in the event of an uncured default under the terms of the Settlement Agreements.

4. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

5. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic, or electronic copy of this Stipulation shall be deemed an original.

Dated: August 23, 2022
New York, New York

BAKER & HOSTETLER LLP

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*Attorneys for Irving H. Picard, Trustee for
the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff Investment
Securities LLC and the Chapter 7 Estate of
Bernard L. Madoff*

SO ORDERED.

**BERNFELD, DEMATTEO & BERNFELD
LLP**

By: /s/ David Bernfeld
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Attorney for the Defendants

**Dated: August 24, 2022
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris
U.S. Bankruptcy Judge**